

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**INFORMATIVE MOTION OF PUERTO RICO SALES TAX FINANCING
CORPORATION REGARDING SCHEDULING OF HEARING ON THE THIRTEENTH
OMNIBUS OBJECTION TO CLAIMS AS TO CLAIM OF PETER C. HEIN**

To the Honorable United States District Judge Laura Taylor Swain:

The Puerto Rico Sales Tax Financing Corporation (“COFINA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as representative of COFINA pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), hereby submits this informative motion (the “Informative Motion”) in compliance with the Court’s *Order Directing Parties to Meet and*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA” and together with the Commonwealth, COFINA, HTA, and ERS, the “Debtors”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Confer Regarding Scheduling of Hearing on the Thirteenth Omnibus Objection to Claims as to Claim of Peter C. Hein [ECF No. 5052] (the “Order”) to notify the Court of the parties’ agreement that the objection shall be heard at the April 24, 2019 omnibus hearing. In further support of this Informative Motion, COFINA respectfully states as follows:

1. On December 5, 2018, COFINA filed the Thirteenth Omnibus Objection to Duplicate Bond Claims (the “Thirteenth Omnibus Objection”), seeking to disallow 500 duplicate bond claims because the claimants asserted liability associated with one or more municipal bonds issued by COFINA that are duplicative of a master proof of claim filed by Bank of New York Mellon as trustee of bonds issued by COFINA. ECF No. 4417. The Thirteenth Omnibus Objection was accompanied by a notice stating that, if a response to the Thirteenth Omnibus Objection is properly filed and served, a hearing on the objection and response would be scheduled for March 13, 2019 at 9:30 a.m. (Atlantic Standard Time).

2. On December 28, 2018, Peter C. Hein filed an Objection, of Individual COFINA Subordinate Bondholder Residing in the 50 States Who Purchased at the Original Offering Prices, to Confirmation of Puerto Rico Sales Tax Financing Corporation (“COFINA”) Plan, and Response and Opposition to COFINA’s Thirteenth Omnibus Objection to Individual Claim No. 10701 [ECF No. 4585] (the “Hein Objection”). In the Hein Objection, Mr. Hein informed the Court that he would be traveling out of the country between March 4 and March 18, 2019, and requested that any hearing on the “Omnibus Objection to my claim No. 10701 . . . be scheduled for a date on March 1, 2019 or after March 19, 2019.” *Id.* at 36.

3. On February 5, 2019, this Court issued an order directing the parties to meet and confer regarding the scheduling of a hearing on the Thirteenth Omnibus Objection as to the claim of Mr. Hein. ECF No. 5052.

4. On February 6, 2019, counsel for the Oversight Board, as representative for COFINA, met and conferred with Mr. Hein regarding the scheduling of the hearing on the Thirteenth Omnibus Objection as to the claim of Mr. Hein. The parties agreed that the objection shall be heard at the April 24, 2019 omnibus hearing. Counsel for the Oversight Board is further authorized to represent that Mr. Hein requests that he be permitted to participate from the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY 10007.

[Remainder of page intentionally left blank]

Dated: February 15, 2019
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

Hermann D. Bauer

USDC No. 215205

Carla García Benítez

USDC No. 203708

O'NEILL & BORGES LLC

250 Muñoz Rivera Ave., Suite 800

San Juan, PR 00918-1813

Tel: (787) 764-8181

Fax: (787) 753-8944

*Attorneys for the Financial Oversight and
Management Board as representative for
COFINA*

/s/ Martin J. Bienenstock

Martin J. Bienenstock (*pro hac vice*)

Brian S. Rosen (*pro hac vice*)

PROSKAUER ROSE LLP

Eleven Times Square

New York, NY 10036

Tel: (212) 969-3000

Fax: (212) 969-2900

*Co-Attorneys for the Financial Oversight
and Management Board as representative
for COFINA*